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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,293	10/14/2003	Robert A. Caradimos	2835/101	9816

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BROMBERG & SUNSTEIN LLP
125 SUMMER STREET
BOSTON, MA 02110-1618

EXAMINER

MAI, TRI M

ART UNIT	PAPER NUMBER
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3781

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/685,293

Applicant(s)

CARADIMOS, ROBERT A.

Examiner

Tri M. Mai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9, 10 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

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1. Claims 1-3, 6, 7, 9, 10, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz in view of Goodnow (1361981). Swartz teaches a support having a support portion with a lower portion and an upper region, back, and front, a lip 11, a hook 4, and a standoff member 9. The standoff member having a distal edge (the free edge of portion 9) and a base edge at portion 8.

With respect to the standoff member having first and second supports that meet at a junction behind the back of the support portion, Goodnow teaches that it is known in the art to provide a support having first and second portion meeting at a junction. It would have been obvious to one of ordinary skill in the art to provide a support having first and second portion meeting at a junction as taught by Good now to provide an alternative support for device.

Regarding claim 3, note that the hook in Swart has a terminus portion that curves away from the support portion as claimed.

Regarding claim 6, it would have been obvious to one of ordinary skill in the art to provide the dimension as claimed to provide the desired size for the support.

2. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Swartz rejection as set forth above, and further in view of Fiscus (2487536). To the degree it is argued that the Swartz fails to teach the terminus that curves away from the support portion. It would have been obvious to one of ordinary skill in the art to provide a terminus that curves away from the support portion in Swartz as taught by Fiscus to provide the desired shape for the hook support.

3. Claims 4, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Swartz rejection as set forth above, and further in view of Rogers (651058). It would have been

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obvious to one of ordinary skill in the art to provide retainers on opposite sides and an empty central region in Swartz as taught by Rogers to save material and to access the contents easily.

4. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Swartz rejection as set forth above, and further in view of Olman (2314550). The Swartz combination meets all claimed limitations except for the use of the support device in a steering wheel and with the use of the laptop. Olman teaches that it is known in the art to provide a support device with extending legs on a steering wheel as shown in 3 wherein the device having two legs 19 and 19a supporting the steering wheels. It would have been obvious to one of ordinary skill in the art to use the device in a steering wheel to enable one to mount the device in the desired place. With respect to the laptop, it would have been obvious to one of ordinary skill in the art to provide a laptop as taught by Sullivan to provide the desired device to be used with the support.

5. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Applicant's arguments have been fully considered but they are not persuasive. With respect to the rejection of Swartz and Goodnow, applicant asserts that Goodnow does not teach a support having first and second supports that meet at a junction behind the back of the support portion. The examiner submits that Goodnow clearly teaches a support having first and second support portions 17 meeting at a junction at 19 as shown in Fig. 3 in Goodnow. As set forth above, one of ordinary skill in the art would find obvious to provide the support in Swartz to provide an alternative support for the device since both device are shown to provide standing support. With respect to the use in the steering wheel, it is noted that the articles claims only set

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forth the steering wheel as an intended use, the claims do not impart any structure over the device of Swartz and Goodnow. Furthermore, it is noted of Olman teaches that a device with similar extending legs at 19 and 19a can be used on a steering wheels to provide support on a steering wheel as shown in Fig. 1. Thus Olman provide clear motivation that such a device can be used to be supported on a steering wheel.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on (571)272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tri M. Mai 
Primary Examiner
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